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# THE HAWAIIAN STAR.

The Hawaiian Star is the paper that goes into the best homes of Honolulu.

VOL. VII.

HONOLULU, H. I., WEDNESDAY, SEPTEMBER 19 1900.

No. 2658

## A DAY THAT NEVER WAS

TODAY IS THE ANNIVERSARY OF IT.

The Presidential Election Day of the Republic of Hawaii—An Event Provided for But Never Happened.

Today would have been Presidential election day in the Republic of Hawaii. If the Republic of Hawaii had not been annexed and made a territory of the United States.

As it is there never has been a presidential election day in Hawaii. The constitution of the Republic of Hawaii provided in Article 23: "Sanford Ballard Dole is hereby declared to be the President of the Republic of Hawaii, to hold office until and including the 31st day of December, 1900, and thereafter until a successor shall have been duly elected and qualified."

In Article 24 it is provided: "On the third Wednesday of September, 1900, and on the third Wednesday of September in every sixth year thereafter, the Legislature shall meet to elect a President for a term of six years to begin with the first day of January of the year following."

But the legislature never met to elect a president. Before the time for electing a successor to President Dole came around, there was neither a Republic of Hawaii nor a President Dole. The one had become the Territory of Hawaii and the other Governor Dole.

So today is the anniversary of something that never happened; of a presidential election day that never was.

## THE BERGER-BOOTH SUIT

REGULAR HEARING BEGINS IN COURT.

Mrs. Berger, the Plaintiff, Takes the Stand Against Her Brother—Some Interesting Letters.

The suit of Mrs. Sarah A. Berger against C. W. Booth and C. S. Desky was on all the morning in Judge Humphreys' court and the hearing proceeded at 2 o'clock this afternoon. It will be remembered that Mrs. Berger wishes to recover from C. W. Booth, her brother, about \$11,000, being the difference between the purchase price of her interest in the Booth estate in Pauoa valley and the sum at which the land was subsequently sold to C. S. Desky. Mrs. Berger was on the stand most of the time.

One development in the case was rather unexpected by the audience. In her original bill Mrs. Berger stated that her brother had been and was conducting in her brother's superintendence the deed she gave him to the land for the small sum of \$3,000. This superfluity of love and confidence was supposed to have existed up to a very short time ago. As a matter of fact letters were produced that would indicate differently. About six years ago it is alleged that the fair plaintiff wrote one of the letters in which, if she really highly regarded and reposed great confidence in her brother, forgot to express the same. Judge Humphreys ruled out the abusive features of these love letters, and admitted only such parts as had a direct bearing upon the estate and the property relations between the litigants.

The Supreme Court this morning heard argument in the case of the Wahiawa Sugar Company vs. Wahiawa Agricultural Company, ejectment. Chief Justice Frear and Justice Perry, both being interested in Wahiawa plantation, were disqualified. After considerable trouble in getting attorneys who were not otherwise engaged, J. W. Cathcart and F. Judd were seated to take their places and heard the case.

The case of the William Carson (Hind) vs. Wilder Steamship Company, appeal of the latter, is being heard by the Supreme Court this afternoon. The circuit judge gave the plaintiff judgment for the value of the Wm. Carson, which was run into and wrecked by the steamer Claudine some months ago.

### BORN.

MURDOCK—At Eva, Oahu, September 19, 1900, to the wife of D. B. Murdock, a son.

### AT THE OLD STAND.

General blacksmithing and carriage repairing business in all branches at the old stand, Fort street, W. W. Wright.

Africanos 3-25 at David Lawrence.

## For Sale.

### BONDS.

6 PER CENT. (10 to 20 YEAR) GOLD BOND

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## INDEPENDENT NOMINEES

NO SELECTIONS ON OAHU UNTIL AFTER REGISTRATION.

Democrats Trying to effect Organization in Maui and Kauai Districts—Democratic Mass Meeting Monday.

The Democratic Party is the only one in the Territory without a thorough organization throughout the islands. Efforts are being made by the leaders however to bring the members together and effect satisfactory arrangements and make nominations for the approaching election in November. John B. Wise, Thomas Clark of Wailuku and John Richardson of Maui are on Molokai today in the interests of the party. They have met with fair success in their tour of the Maui district but their chief handicap lies in the limited number of Democrats who reside outside of Oahu. J. E. Bush is now on Kauai working for the advancement of the party. The presence of these leaders at this time is due to the approaching district conventions which will probably be held on Monday next to make nominations. The Democrats on this island will meet in a mass convention in the Drill Shed on the same evening and make their nominations for assemblymen from the fourth and fifth districts and the third senatorial district.

The Independent is probably the best organized of any of the parties. The party has completed the nominations for all of the districts outside of Oahu. It was announced today that these nominations would be postponed until after the close of registration as the party will by then have had sufficient time in which to investigate the necessary details concerning those registered and be better posted regarding the strength of the other parties.

All of the legislative nominees on the remaining islands have been made by the Independents however and are as follows:

Hawaii—For Senators.

John Brown of Hilo.  
Henry West of Hilo.  
J. B. Kaoli of Kohala.  
Dr. N. Russell of Oloa.

For Representatives.

R. H. Makekau of Hamakua.  
W. B. Naillima of Hilo.  
J. E. Valiki of Hilo.  
S. H. Haula of Puna.  
H. M. Kanho of Kohala.  
G. Naope of Kona.  
J. Kawahawali of Kona.  
J. K. Kaula of Kau.

Maui—For Senators.

William White of Lahaina.  
S. E. Kalua of Wailuku.  
T. B. Lyons of Wailuku.

For Representatives.

Solomon Kawaihilo of Molokai.  
J. K. Hilo of Lahaina.  
C. B. Crockett of Lahaina.  
D. P. Eldredge of Kula.  
J. Kamakele of Kula.

Kauai—For Senators.

Luther Nekapanahu of Waima.  
Isaac Kahilina of Kalihiwai.

For Representatives.

J. A. Akina of Waima.  
J. H. Lelelwi of Hanalei.  
Isaac Kaulaui of Kapaa.  
K. Puuliki of Hanalei.

Of these but one, Dr. Russell, is a white man. It is said by the Independent leaders that instead of intending to collar all of the offices for the natives they are willing to name an equal number of white men on their ticket if they can but induce the proper men to serve. All of the natives nominated, it is claimed, understand the English language and can also speak it. On Oahu there will be more white men nominated for the reason that there is more to choose from than in the other districts. At Kau, Hawaii, Julian Monsarrat has announced himself as candidate for the assembly on a ticket independent of the other three. It is claimed by the Independents that he will pull none of their strength. The Democrats are very few in number in that district while the organization of the Republicans is thought to be sufficiently strong to hold the members in line and Monsarrat is destined they claim to find small pickings in that quarter.

The Republicans are working hard to effect strong nominations and it is expected that tickets will be put in the field in every district but the Sixth Assembly on Kauai. There the people have effected an amalgamation known as the Citizens' Home Rule Party and it may not be deemed advisable to try and oppose them. In the First Representative district the convention will be held on the 24th at Laupahoehoe. The date for the second has not been fixed. The third meets at Wailuku on the 29th. The dates for the fourth and fifth have not been determined by the joint committee.

### CAMPAIGN BADGES.

The Golden Rule Bazaar has just received a large assortment of the latest thing in Campaign badges and buttons. Republican and Democratic. The Rabbit's foot badge is the latest out.

Fine Book and Commercial Printing at the Star Office.

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## SOME NEW INSECT PESTS

HAMAKUA AND ITS FLYING ANTS.

They Come When the Sun is Low and Bite until Dark—Makawao has a Vegetable Eater.

Hamakua, Hawaii, as well as Makawao, Maui, has been invaded by a new kind of insect. It was never noticed until this season but lately it has become a pest that divides profanely with the mosquito.

Just what it is no one knows, but locally it has received the name of the "flying ant," though it would seem that "twilight ant," or "twilight bug" would be equally as descriptive. It is seldom or never seen except for a short time just before sundown and for a short time afterwards. At least it is only troublesome at that time. It appears in swarms, the swarm remaining steadily in one place supporting itself on the wing, then suddenly darting to another place. Each individual insect is about the size and color of an ant, and its appearance is caused by a bite. This bite is not a sting like that of a wasp, leaving unpleasant after effects, but is a bite, causing a sharp painful sensation at the time of the bite. It has been reported in no other district than Hamakua.

The Maui insect, locally known as the "Olinia beetle," because it is found principally on the slopes of Haleakala, is causing much damage to the forests on the slope of that mountain. It is said especially to attack the koa trees. David Haugs brought the first information here regarding the "Olinia beetle," and Professor Koebel who went to Maui yesterday will study the new pest entomologically.

## AH SING GIVEN LIBERTY

END OF LATEST HABEAS CORPUS CASE.

American Chinaman, Refused Landing By Collector of Customs, Admitted by Judge Estee Today.

Judge Estee this morning rendered a long decision in the case of Ah Sing, the Chinese cook of the Challenger who was refused as landing in the islands by the Collector of Customs. The decision was in favor of the Chinaman, and he was promptly notified by the Chief Deputy Marshal that he was a free man.

Ah Sing shipped from New York for various ports and was to return to the United States. The decision was Organic Act went into effect. The vessel arrived here, was sold and the crew discharged. The collector refused to allow the Chinaman ashore.

Briefly stated, the Judge ruled that the Chinaman, shipping from New York had a perfect right to land at any port of the United States, and that Honolulu was an American port. Had it been clearly shown that he had landed at some foreign port enroute, there might be a difference, as in such event it might be regarded as a new immigration of the same port.

In this case, however, nothing of the kind was brought out. The court cited numerous authorities to support his opinion and concluded by saying that the Organic Act of Hawaii applied to the case under review. The petitioner was a resident of New York for twenty-five years prior to shipping on the Challenger. He will probably ship on another vessel here, but whether he can again enter cities of the mainland is a question. There the Organic Act comes in again. It provides that Chinese of the Hawaiian Islands shall not enter other parts of the United States. The landing given Ah Sing by Judge Estee this morning does, in the minds of the best legal talent of Honolulu, give him the status of a Hawaiian Chinese and takes away his standing as a mainland Chinese.

It is expected that the attempt of Ah Sing to re-land on the mainland will bring the question of the Constitutionality of the clause above referred to before the United States Supreme court. Local attorneys believe the clause is unconstitutional and that it will be knocked out if the test is made.

### UP PALOLO VALLEY.

Junior Rumbling Club Will Make the Trip Saturday.

The Y. M. C. A. Junior Rumbling Club will make a trip up Palolo valley next Saturday. The start will be made from the Y. M. C. A. at 8 o'clock in the morning and the return will be at about 4 o'clock in the afternoon. The trip will be made on horseback or on bicycles. The route of the trip will split the valley in two. From there to the crater on the crest of the mountain, a water-filled crater that supplies the streams of the valley, will be made afoot.

There will be some rough climbing but it is believed the trip will well repay the effort. Many legends and much folklore is localized in this valley, and it is only recently that it came into prominence through a series of deaths that were obscure in their cause and mysterious in their coincidence.

As usually treated a sprain will disable the injured person for three or four weeks, but if Chamberlain's Pain Balm is freely applied a complete cure may be effected in a very few days. Pain Balm also cures rheumatism, cuts, bruises and burns. For sale by all dealers and druggists. Benson, Smith & Co., general agents, Hawaiian Islands.

### FOR CAMARINOS' REFRIGERATOR.

Per S. S. Australia—Peaches, Grapes, Oranges, Lemons, Limes, Celery, Cauliflower, Cabbage, Peas, Plums, Fresh Salmon, Flounders, Halibut, Crab, Eastern and California Oysters (in tin and shell), all Game in Season, Turkeys, Chickens. New crop of Nuts and Dried Fruits, Onions, Burbank Potatoes, Swiss, Parmesan, Roquefort, New Zealand and California Cream Cheese, Olives. All kinds of Dried Fruits.

## TRANSPORTS TO PAY FEES

NOT EXEMPT FROM PILOT AND WATER CHARGES.

Decision by Government This Morning—Not Desired, But 'Tis Law—Other Matters Considered.

The Territorial government today decided to assess United States vessels—transports—for pilot fees and water charges. It appears that in determining the matter a rather peculiar situation presents itself. There is no doubt on the part of the government to levy the charges, from all accounts, but the law providing for it was passed some time ago, when transports were not thought of, and it makes no exceptions. It was felt by the government this morning that the only thing to be done was to carry out the letter of the law, leaving the legislature to act in the matter as it may see fit.

The question was brought up by Harbor Master Fuller. Heretofore the matter of charges has simply been "let slide." It is understood that at San Francisco transports are treated precisely as other vessels.

At the Executive meeting today Governor Dole reported that the Supreme Court had granted a reprieve to October 27 in the case of Fujihara, convicted of murder and sentenced to be hung. He said there was a doubt from the wording of the Enabling Act, as to his own authority in the matter while the Supreme court certainly had such authority. On that account he preferred the judges should handle the question.

Mr. Lansing reported a request from Tax Assessor Shaw for instructions as to how to collect poll taxes. Shaw stated that he had been unable to collect and wanted to know how far he could go in the way of confiscating property in cases of non-payment. The matter was referred to the Attorney General for an opinion.

Mr. Lansing reported a second request for information from the same source. Mr. Shaw wanted to know what he should do about assessments on church and school property not used for church or school purposes. Of course when used for such purposes it is exempt from taxation of any kind. This matter was also referred to the Attorney General for an opinion.

The question of whether one delegate should be elected for the Fifty-sixth Congress, or one for the Fifty-sixth and one for the Fifty-seventh, or one for both the Fifty-sixth and Fifty-seventh Congresses, at the approaching election was discussed but no action was taken.

Mr. Atkinson reported that Aala school house was nearly ready for use. He added that it was his intention of making it a mixed school, so that both boys and girls would be admitted. Mr. Atkinson also reported that the schools had reopened under most promising auspices. Attendances in all were very large.

In the old Leslie title matter Mr. Brown recommended, to settle the question, that the land be taken on a basis of twenty-five per cent of its present value, and a quit claim deed be given. The commissioner thought the government's plan was better, but it seemed not to be satisfactory all round.

Stockholders of the Oahu Railway & Land Company are requested to call at the office of the Treasurer, Room 209 Judd building, and receive the amount due them from proceeds of sale of fractional shares of Treasury Stock.

### LIGHT POLICE BUSINESS.

The police court calendar this morning was one of the shortest on record. One drunk, who was reprimanded and discharged, as he is thought to be half crazy, one opium in possession man, whose case was postponed and one Chinese who was assessed \$10 for having a false ticket, comprised the entire calendar, and Judge Wilson had an easy day, after his long sessions in the Spencer case.

### DESERTION CHARGED.

Antone Mello has been arrested for desertion. Complaint made by his wife, a young Portuguese woman to whom he was married about a year ago. He has left her and refuses to live with her and it is understood that he wants a divorce. Attorney Kaulukou who appears for the husband, says he will contest the constitutionality of the husbands and wives law.

### STEAMER FOR KAPAA.

The steamer James Makee, Captain Tullett, will leave tomorrow afternoon at four o'clock for Kapa.

### OUR COMMISSIONER.

W. J. Robinson, commissioner of the United States district court, this morning filed his application for a license to practice law before the Territorial courts. He is a native of Ohio, aged 32 and is a practitioner before the United States district courts.

### WITNESSES HELD.

The assault case brought by Mate Birkin, of the schooner Enterprise, against Captain Adolph Freitsch will be heard by Judge Estee this afternoon. This is a criminal proceeding in which Captain Freitsch had to give large bonds. In his report this morning Commissioner Robinson made such recommendations as caused Birkin, Patterson and another witness to be taken into custody by the United States Marshal. In lieu of bonds they will be held until the hearing this afternoon.

### DIVIDED SERVICE.

Mayor Maguire of Syracuse, N. Y., will manage the Democratic campaign in New York State this fall, and promises to divide his time equally between the party and the city which pays him for an undivided public service. Still this case does not appear to be worse than that of Governor Roosevelt, who will give quite as much attention to campaign work, as to the earning of his public salary.—Springfield Republican.

### HAS FEW EQUALS.

For light running, easy adjustments, and good work the Singer Sewing Machine has few equals and no superiors.—B. Bergerson, agent, Bethel street.

McInerney's shoes are right in it. They are made by the leading factories of America, and consequently have no equal.

McINERNEY SHOE STORE.

## ADMINISTRATION'S FEES

TERRITORIAL EMPLOYEES WHO FIGHT DOLE.

What an Illinois Politician Thinks of the Situation here—Comments on the Sewall Crowd of Bolomen.

"I have learned several new wrinkles in politics since I have been here," said a Republican, recently from Illinois. "When I go back, as I expect to do in time to vote for McKinley and Roosevelt I shall have some political stories to tell that will simply astound the cornfed politicians of the sucker state who think that Governor Tanner, Billy Lorimer, Doc Jamieson, Congressman Cannon and Senator Cullom know all there is to be known about politics."

"Just take the situation as you find it here. These islands were a little mid-ocean republic. A Republican congress and a Republican administration annexed them and then made a territory of them. That was all congress had to do with them and they were turned over to the administration to be properly handled, and the administration took them in hand."

"The first thing the administration had to do was to decide which element of the voters out of which the Republican party in the new territory was to be composed should be recognized and put in command. There were two elements—everybody knows, those who supported Dole and those whom Sewall had rallied to his support and guidance. President McKinley after considering the matter fully, chose Dole and turned Sewall down."

"In any other part of the country that would be recognized as equivalent to the administration saying that it had recognized Dole and those who acted with him as the administration Republicans and that he expected Republicans to work with and through that leadership in all matters of party organization and party supremacy; that he expected especially all Republicans who received preferment or office under the territorial government to work heartily and cordially under that leadership and in that way support the administration."

"What is the fact? Why the cabal that supported Sewall and took their cue from him, whom the President turned down, are fighting the President and his administration by fighting Dole and the element he represents, the man and the element the administration distinctly recognized, and for which it as distinctly turned down Sewall."

"Of course any Republican has a right to fight Dole if he wants to and follow Sewall if he wants to. But no where else in the country would he be considered to have the right to hold office under the administration through the administration's appointee, and then fight both the administration and the administration's appointee. In other words no where else would they be considered to have the right to hold office under McKinley and Dole and then fight McKinley by fighting Dole."

"I was here the day the Republicans held their primaries, and I saw something that even Solomon would acknowledge was new under the sun. The fight on Dole and the element of the party he represents and the element of the party which was recognized by the administration in appointing Dole was being carried on almost everywhere by men who were holding office under Dole. At one precinct the men who carried the precinct for the opposition to Dole, were Board of Health employees, I was told. I know that one of the men elected is a Board of Health employee. At another precinct an employee of the Department of Public Works was carrying it against the administration and Dole. At another precinct another employee of the same department was fighting the anti-administration battle. And when you size it up you find that the anti-Dole or Sewall faction, whatever you have a mind to call it, got a large part of its strength and success through the work and efforts of employees and office holders under Dole."

"Of course these men will say they are good Republicans and good McKinley men. I don't say they are not. But you could make anybody anything else in the country believe they are good administration men when they are fighting the administration's appointee. Anywhere else than here they would lose their jobs so quick they would think a cyclone had struck them. It's nothing to me, I am only interested in it because it is something new in politics when I come from a state that is supposed to have known and practiced all the successful things in politics that ever were invented."

"I judge from what I hear that the natives have possibility of carrying the election; that it isn't an absolute cinch for the Republicans. Then what does Dole's administration mean by letting some of its employees go on fighting him and thus weakening the party. Don't I know that McKinley and the Republican party expects him to carry the territory for the Republican party if it is possible?"

"Almost anywhere else a man in Dole's position would give it out cold that all jobs would be vacant the day after election if the Republicans didn't win. The least that would be done would be to have it thoroughly understood that if any territorial employee took any active part in politics he must take it in the direct line of supporting the administration through the administration's direct representatives and appointees. That's the way they do politics elsewhere, and it will be a severe jolt to Hanna and the Republican managers if the election here goes against the party from failure to do likewise."

### LOW PRICES ON SHOES.

Shoes are now being obtained at lower prices than ever before, owing to the cut made by L. B. Kerr & Co., Ltd. This firm have purchased three large stocks at about fifty cents on the dollar, and are selling them to their patrons accordingly.

### ANOTHER NOVELTY.

Ladies' felt hats in all the latest shades just to hand at L. B. Kerr & Co., Ltd. To be up-to-date visit the Millinery department at their Queen street store.

Africanos 3-25 at David Lawrence.

## BOW WONGS NEW POLICY

IMPORTANT CONFERENCE OF THE LEADERS IN JAPAN.

Thought that the Conference is To Determine Future Course of Organization—Mr. Lamsal Will Attend.

What will probably be the most important meeting of the Bow Wong Society since the beginning of the Boxer trouble will be held in Japan next month. Representatives of the Society from all parts of the Chinese Empire and foreign countries will be in attendance as will the leaders of the organization. The purpose of the meeting will be, it is believed to consider what policy to follow now for securing the upper hand in Chinese affairs.

The young reformer Leung Chi-tso is thought to be in Tien Tsin or Peking studying the situation and the present conference will no doubt be guided largely by his reports. Dispatches from various provinces of China since the outbreak give meager accounts of counter revolutions which have been started against the Boxers. Apparently none of these movements have resulted in any thing definite and the plan now to be considered is how best to proceed to get control of Chinese affairs.

The reformers have all along been desirous of having Kwang Hsu restored to the throne, claiming that if the young Emperor be placed at the head of affairs with their leaders and the progressive men of China as his advisors the Chinese Empire will advance. It is possible that Leung Chi-tso has received some assistance from the leaders of the allies that if he can insure the speedy return of the Emperor and the satisfactory settlement of their claims the reform party will be given the opportunity of controlling affairs of Chinese state. On the other hand the young reformer may believe that the allies do not intend to evacuate China at all and he may consider the time ripe for heading a general and properly incited revolution.

Mr. Lam Sal the secretary of the Bow Wong Society of this city is one of the delegates who has been summoned to attend this conference of reform leaders. He has offered his house and furniture for sale or lease, for it is his intention to depart on the next trip of the Nippon Maru for Yokohama. He will take his family. Mr. Lam Sal intends going first to Japan and meeting Fung Chee Shan one of the leaders of the Bow Wongs and with him attend the conference which is to be held in Yokohama or Tokio. After this Mr. Lam Sal may go to Hong Kong. The notice to come to Japan was received several weeks ago and Lam Sal has been quietly making his preparations to leave. He says that it makes no difference where he may be sent. He is ready and anxious to serve his party and his country. The representatives from the San Francisco and Vancouver branches expect to leave on the Nippon Maru also.

### TWO NEW CITIZENS.

Harry T. Mills, the well known attorney of Napoosoo, Hawaii, this morning became a full fledged American citizen. He took out his first papers twelve years ago in New York and has lived in Hawaii ten years. During his entire residence he has been a good government man and a first class citizen.

E. L. ("Ned") Doyle was also naturalized. He is a native of the Barbadoes but has lived in the United States and Hawaii nearly all of his life. In Provisional Government and Republic days he was a strong annexationist and a member of the Citizens Guard.

### EMBEZZLEMENT CHARGED.

Charles Cowan, was arrested this morning on a charge of embezzlement sworn to by C. Macfarlane, for whom the defendant had been working. The warrant alleges that Cowan appropriated to his own use two typewriters of the value of \$75.

### A THREE-FOLD CAUSE.

The highly gratifying progress and prosperity of the Provident Savings bank are distinctly traced to a three-fold cause—namely, a wise, skillful and energetic management, an intelligent and enterprising force of business managers, and the most desirable and up-to-date policy contracts. J. R. Burns is the resident manager; office in new Magoon building.

Africanos 3-25 at David Lawrence.

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It is a simple story of but one word which means a great deal.

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